

REMARKS

Applicant has carefully studied the outstanding Office Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Application as examined included claims 1-29. Claims 30-33 have been cancelled. In the present response, claims 1, 8-13, 16-17 and 24-29 have been amended. Claims 14-15 have been cancelled without prejudice. Claims 2-7 and 18-23 are unchanged.

Claims 1, 3, 5, 7-8, 11-12, 17, 19-20, 23-25 and 27-28 stand rejected under 35 U.S.C. 102(b) as being anticipated by Esty (U.S. RE 28,892). Claims 2, 5-6, 18 and 21-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Esty (U.S. RE 28,892). Claims 8, 11-12, 16, 24 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Esty (U.S. RE 28,892) in view of Cabernoch et al. (U.S. 4,706,827). Claims 9-10, 13-15, 26 and 28-29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Esty (U.S. RE 28,892) in view of Wu et al. (U.S. 5,575,418).

Esty describes a package for preserving perishable products including a container enclosed in a carton. Cabernoch et al describes a container and packaging arrangement employing a rigid outer sleeve and a flexible inner container. Wu et al describes a gas-permeable corrugated paperboard package system.

The present application is a division of U.S.S.N. 09/765,794, now U.S. Patent 6,740,346. Applicant has amended independent claims 1 and 17 to include the limitations recited in claim 1 of the parent application. Claims 8-13, 16 and 24-29 have been amended to provide proper antecedent basis for all items claimed therein in light of the amendments to claims 1 and 17.

Applicant respectfully submits that neither Esty, Cabernoch or Wu, either alone or in combination, show or suggest a method and system for packing agricultural produce as recited in amended claims 1 and 17 and that claims 1 and 17 are therefore patentable.

Claims 2-13 and 16 each depend directly or ultimately from claim 1 and

recite additional patentable matter and are therefore deemed to be allowable. Claims 18-29 each depend directly or ultimately from claim 17 and recite additional patentable matter and are therefore deemed to be allowable.

In view of the foregoing remarks and amendments, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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